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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,191	03/02/2004	Sang-Won Ha	053933-5063	2955
9629	7590	02/04/2005	EXAMINER	
MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004			TALBOT, BRIAN K	
			ART UNIT	PAPER NUMBER

1762

DATE MAILED: 02/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/790,191	Applicant(s) HA ET AL.	
	Examiner Brian K Talbot	Art Unit 1762	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

Art Unit: 1762

1. The election, filed 12/14/04 has been considered and entered. Group II, claims 5-9, have been elected. Claims 1-4 are withdrawn from consideration and should be canceled in response to this Office Action.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okayasu (6,257,771) in combination with Delbare et al. (5,253,310) or Noddings et al. (2003-0053770).

Okayasu (6,257,771) teaches an optical/electrical hybrid wiring board and its manufacture. An optical fiber-embedded layer is provided as one layer of a multiple-layered electrical wiring board. The optical fiber embedded layer (25) is shown in Fig. 5. An adhesive material is applied to one side of the insulating sheet (22) to form an adhesive layer (23). Optical fibers are laid in a pattern on the adhesive (23). Upon completion of the fiber laying, a filler material (25A) is applied to form an embedded filler material with fibers.

Okayasu (6,257,771) fails to teach forming the fiber embedded structure by laying the fibers in a jig and dipping in epoxy to form the structure along with pressure and temperature.

Art Unit: 1762

Delbare et al. (5,253,310) teaches an optical coupling structure whereby a structure (8) with grooves (10) is utilized to hold optical fibers in a predetermined array prior to embedding the fibers with a liquid epoxy and curing (col. 4, line 50 – col. 5, line 30).

Noddings et al. (2003-0053770) teaches a fabrication of optical devices and assemblies whereby optical fibers or waveguides are formed, cladding layer is applied, and the structure is encapsulated with an epoxy material. Pressure and temperature is used to form the structure. In Fig. 9, grooves (906) are formed in a substrate to hold the optical fibers (204) in place prior to the encapsulation material.

Therefore, it would have been obvious for one skilled in the art at the time the invention was made to have modified Okayasu (6,257,771) process by incorporating an optical fiber holder as evidenced by Delbare et al. (5,253,310) or Noddings et al. (2003-0053770) with the expectation of controlling the arrangement of the embedded fibers during the embedding process.

While the Examiner acknowledges the fact that the prior art is silent with respect to the embedding process by dipping, it is the Examiner's position that this process is a well known effective way to produce composite structures as is disclosed. The prior art teaches injecting the encapsulating material in a mold which would also produce the desired product. It is the Examiner's position that one skilled in the art at the time the invention was made would have had a reasonable expectation of achieving a similar product regardless of which conventional embedding means is utilized absent a showing of unexpected results. If Applicant disagrees, Applicant is invited to supply a showing of unexpected results and upon such a showing, the


Art Unit: 1762

Examiner will reconsider his position regarding the obviousness of the coating technique utilized.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian K Talbot whose telephone number is (571) 272-1428. The examiner can normally be reached on Monday-Friday 6AM-3PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shrive P Beck can be reached on (571) 272-1415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 2/3/05
Brian K Talbot
Primary Examiner
Art Unit 1762

BKT